

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:21-CV-00610-FDW-SCR**

<b>TIGRESS SYDNEY ACUTE MCDANIEL,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>LIBERTY MUTUAL INSURANCE</b>	)	
<b>COMPANY et al,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the Court *sua sponte* as to the status of this case. Plaintiff completed the “opt in” forms for this Court’s *Pro Se* Settlement Assistance Program (“PSAP”), (Doc. No. 124), on February 2, 2023. Since that time, the Clerk’s office has diligently worked to find an attorney to represent Plaintiff. However, the Clerk has been unable to find an attorney willing to represent her as part of the PSAP.

“The purpose of the *Pro Se* Settlement Assistance Program [ ] is to assist the just, speedy, and inexpensive determination of civil actions and proceedings . . . .” LCvR 16.4(a). “Application to the Program is not intended to, does not, and may not be relied on to create any rights, substantive or procedural, enforceable at law . . . [and] application to the Program does not guarantee participation in the Program.” LCvR 16.4(b). This is the extremely unusual case where, despite best efforts by the Clerk’s office, no attorney has agreed to accept PSAP appointment to represent Plaintiff.

It is within the sole discretion of this Court to determine whether “participation in the Program for a particular case will not serve the Program’s purpose or that the Program is not appropriate under the circumstances of a particular case.” LCvR 16.4(c)(3). At this time,

participation in the PSAP by Plaintiff is no longer assisting in the administration of justice. The Court will not delay this case any longer.

**IT IS THEREFORE ORDERED** that Plaintiff is no longer enrolled in the PSAP. The Court will promptly issue a Case Management Order setting forth the schedule for this case.

**IT IS SO ORDERED.**

Signed: January 18, 2024



Frank D. Whitney  
United States District Judge

